

FRIENDSHIP, COMMERCE, AND NAVIGATION

Additional articles signed at Washington July 11, 1861

Senate advice and consent to ratification July 17, 1861

Ratified by Denmark August 8, 1861

Ratified by the President of the United States August 25, 1861

Ratifications exchanged at Washington September 18, 1861

Entered into force September 18, 1861

Proclaimed by the President of the United States September 20, 1861

*Abrogated by the United States July 1, 1916, in accordance with Seamen's Act of March 4, 1915*¹

13 Stat. 605; Treaty Series 68²

ADDITIONAL ARTICLES

To the General Convention of Friendship, Commerce and Navigation concluded at Washington on the twenty-sixth day of April, 1826, between the United States of America and his Majesty the King of Denmark

The United States of America and his Majesty the King of Denmark, wishing to favor their mutual commerce by affording, in their ports, every necessary assistance to their respective vessels, the undersigned Plenipotentiaries, being duly empowered for that purpose, have agreed upon the following additional articles to the General Convention of friendship, Commerce and navigation, concluded at Washington on the twenty-sixth day of April, 1826,³ between the contracting parties.

ARTICLE 1

The respective Consuls General, Consuls, Vice Consuls and Commercial Agents, shall have the right as such to sit as judges and arbitrators in such differences as may arise, either at sea or in port, between the Captain, officers and crew of the vessels belonging to the nation whose interests are committed to their charge, particularly in reference to the adjustment of wages and the execution of contracts, without the interference of the local authorities,

¹ 38 Stat. 1164.

² For a detailed study of these additional articles, see 8 Miller 591.

³ TS 65, *ante*, p. 1.

unless the conduct of the crew and the officers or of the captains, should disturb the order or tranquillity of the country.

It is however understood that this species of judgment or arbitration shall not deprive the contending parties of the right they have to resort on their return to the judicial authority of their country.

ARTICLE 2

The Consuls General, Consuls, Vice Consuls and Commercial Agents are authorized to require the assistance of the local authorities for the search, arrest and imprisonment of the deserters from the ships of war and merchant vessels of their country. For this purpose they shall apply to the competent tribunals, judges and officers, and shall in writing demand said deserters, proving by the exhibition of the registers of the vessels, the rolls of the crews, or by other official documents, or, if the vessel shall have departed, by copy of said documents duly certified by them, that such individuals form part of the crew; and on this reclamation being thus substantiated, the surrender shall not be refused, unless there be sufficient proof of the said persons being citizens or subjects of the country where their surrender is demanded. Such deserters when arrested shall be placed at the disposal of said Consuls General, Consuls, Vice Consuls or Commercial agents, and may be confined in the public prisons at the request and cost of those who shall claim them, in order to be detained until the time when they shall be restored to the vessels to which they belonged, or sent back to their own country by a vessel of the same nation, or any other vessel whatsoever. But if not sent back within three months from the day of their arrest, they shall be set at liberty and shall not be again arrested for the same cause. However if the deserter should be found to have committed any crime or offence, his surrender may be delayed until the tribunal before which his case shall be depending shall have pronounced its sentence, and such sentence shall have been carried into effect.

The present additional articles shall have the same force and value as if they were inserted, word for word, in the Convention signed at Washington on the twenty-sixth day of April, one thousand eight hundred and twenty-six, and being approved and ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by his Majesty the King of Denmark, the ratifications shall be exchanged at Washington within six months from the date hereof, or sooner, if possible.

In faith whereof, we, the undersigned, in virtue of our respective full powers, have signed the present additional articles, and have thereto affixed our seals.

Done in triplicate at the City of Washington on the eleventh day of July in the year of our Lord one thousand eight hundred and sixty-one.

WILLIAM H. SEWARD	[SEAL]
W. R. RAASLÖFF	[SEAL]